



## RESEARCH ARTICLE

# Green Economy Strategy in Indonesia's Tourism Industry: Building Sustainability through Soft Power Diplomacy at the 2023 ASEAN Summit

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ARTICLE INFO	ABSTRACT
Received: Aug 12, 2024 Accepted: Sep 30, 2024	Indonesia's main issues that are in the spotlight in 2023 are the 2023 ASEAN Summit themed "ASEAN Matters: Epicentrum of Growth" with three main pillars: Recover-Rebuilding; Digital Economy; and Sustainability. This is an urgency for the Indonesia government in formulating strategies through regulations and policies. The regulations and policies of the Government of the Republic of Indonesia with the substance content of the sustainability-based green economy owned by Indonesia are currently not able to accommodate, so the legal issue in this study is an incomplete norm. The purpose of this study is to create a new strategy, namely through soft power diplomacy with the goal of improving the national economy in the field of Indonesia's tourism industry. This strategy is focused on the sustainability-based Green Economy. The results of this study recommend legal construction in the form of treaties (international agreements), namely the ASEAN Agreement of Sustainability based on Green Economy Implementation (ASGI) which aims to provide legal benefits in cooperative relations between ASEAN countries. In addition, the complexity of the offer of technological innovation is the Artificial Intelligence program which is manifested in concrete forms such as renewable energy technology and energy efficiency technology.
<b>Keywords</b>	
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## INTRODUCTION

Indonesia is a country that is gathered in a geopolitical and economic organization in the Southeast Asian region, namely as one of the initiators of the formation of ASEAN (Weatherbee, 2013). In line with the concept of the national economy which is regulated based on the constitutional basis of Article 33 Paragraph (4) of the 1945 Constitution which states: "The national economy is organized based on economic democracy with the principles of togetherness, efficiency, justice, sustainability, environmental insight, independence, and by maintaining the balance of progress and national economic unity" (DPR RI, 1945). The realization of this concept is shown through the foreign policy of the Indonesia government in conducting soft power diplomacy (D. F. Anwar, 2020).

The tourism industry is the main axis of raising the national and global economic sectors (Rosalia, 2022). A strategy that focuses on the main goal is needed to increase the attractiveness of Indonesia's tourism industry (Wijaya & Handoko, 2021) which is able to trigger the interest of ASEAN countries. Green Economy The Tourism Industry can encourage the creation of inclusive and sustainable economic development (Zyurina et al., 2023) in accordance with one of the main pillars of the 2023 ASEAN Summit in Indonesia, namely sustainability (Hasan et al., 2023). Thus, the Indonesia government can maximize the concept of Green Economy as an economic formulation strategy and also streamline digital transformation in this effort (Cheng et al., 2023); (Fernandez-Vidal et al., 2022). Thus, the main idea of using Artificial Intelligence Programs and treaties (friendship agreements) is very targeted.

However, the problem arises in terms of legal regulations that are still minimal, where there is an

incomplete norm as a legal issue that is an obstacle. So that in taking steps and efforts as explained above, they are not able to accommodate, will tend to be weak, and the value of benefits from the law will not be achieved. The use of instruments in normative research, in its purpose is to resolve and answer legal issues in the form of recommendations. The incomplete norm in the green economy pattern of Indonesia's tourism industry development as a strategy to achieve sustainability through soft power diplomacy at the 2023 ASEAN chairmanship in Indonesia refers to two main things. These two things are the recommendations that the author wants to convey that the Artificial Intelligence Program and the formulation of the Treaty (friendship agreement) are Indonesia's strength to realize the sovereignty and sovereignty of Indonesia's economy in the path of diplomacy. The golden opportunity comes in 2023, where Indonesia is trusted to host a world-class event, namely Indonesia's chairmanship of the ASEAN Summit in 2023.

## METHODOLOGY

The method used in this study is the normative law research method. This type of research initiates the resolution of normative problems by prioritizing the existence of legal issues (Irwansyah, 2020). The legal issues found are a concrete form of inconsistencies and imbalances in the formulation of a regulation, namely the existence of incomplete norms where Indonesia has not completed the ratification of the ASEAN Agreement in the substance of a sustainability-based green economy. This imbalance can give rise to legal problems, namely the failure to achieve legal goals in supporting the government's strategy to achieve a green economy in Indonesia's tourism industry towards sustainability in the momentum of the 2023 ASEAN chairmanship through soft power diplomacy.

The problem approach used in this study is carried out deductively through a conceptual approach and a historical approach. The explanation of the problem-solving approach is presented in the following figure:



Figure 1: Problem-solving approach

Based on the description above, the following methods or ways to achieve research objectives are presented in the form of a research flow diagram as shown in the figure below:



Figure 2: Research flow chart

Figure 2. shows the method to achieve the goals that the author has set. There are six (6) stages of research in completing during the proposed period, which are as follows: The first stage, is to determine the type of research to be used in this case is normative Law research with the type of doctrinal research because it is found that there are legal problems or legal issues in the form of incomplete norms (Solikin, 2021).

The second stage is the stage of determining the problem approach to provide problem solving consisting of a conceptual approach and a historical approach. To solve problems based on legal issues that are found in the form of incomplete norms, these two approaches are very relevant to the problem-solving strategies that arise and to answer existing hypotheses and identify the relationship with the sustainability of research. Problem diagnosis can also be done by evaluating the results of the discovery of legal issues by studying and analyzing them in a structured manner. The purpose of the problem approach is also to make it easier to conduct legal analysis.

The third stage is to determine the sources of legal materials to be used consisting of two sources of legal materials, namely primary legal materials in the form of laws and regulations and those related to norms, concepts, and legal theories. Then secondary legal materials consist of literature from books, journals, articles, proceedings, papers, and so on.

The primary legal materials consist of:

- a. Vienna Convention on Diplomatic Relations and Optional Protocol to the Vienna Convention on Diplomatic Relations Concerning Acquisition of Nationality, 1961
- b. Vienna Convention on Consular Relations Concerning Acquisition of Nationality, 1963
- c. Law of the Republic of Indonesia Number 1 of 1982 concerning the Ratification of the Vienna Convention on Diplomatic Relations and Optional Protocol to the Vienna Convention on Diplomatic Relations concerning Acquisition of Nationality (Vienna Convention on Consular Relations and Optional Protocol to the Vienna Convention on Diplomatic Relations concerning Acquisition of Nationality, 1961) and the Ratification of the Vienna Convention on Consular Relations and its Optional Protocol on Obtaining Citizenship (Vienna Convention on Consular Relations Relations And Optional Protocol To The Vienna Convention On Consular Relations Concerning Acquisition Of Nationality, 1963)
- d. ASEAN Trade in Goods Agreement (ATIGA),
- e. ASEAN Framework Agreement on Services (AFAS),
- f. ASEAN Trade in Services Agreement (ATISA),
- g. ASEAN Comprehensive Investment Agreement (ACIA) dan
- h. ASEAN Framework Agreement on Mutual Recognition Arrangements (MRA)
- i. Law Number 37 of 1999 concerning Foreign Relations
- j. Law Number 24 of 2000 concerning International Agreements
- k. Law Number 38 of 2008 concerning the Ratification of the Charter of the Association of Southeast Asian Nations (Charter of the Association of Southeast Asian Nations)
- l. Law Number 7 of 2014 concerning Trade
- m. Presidential Regulation of the Republic of Indonesia Number 99 of 2012 concerning the Ratification of the Agreement between the Government of the Republic of Indonesia and the Association of Southeast Asian Nations (ASEAN) on Sovereignty and the Granting of Privileges and Immunities to the ASEAN Secretariat
- n. Presidential Regulation of the Republic of Indonesia Number 3 of 2023 concerning the Ratification of the ASEAN Trade In Services Agreement.

The fourth stage is to collect legal materials which is carried out through the library research method or literature study. The fifth stage is to process the collected legal materials and then process them through the stages of editing, coding, reconstructing, and systematizing. The sixth or last stage is to conduct legal analysis through futuristic interpretation where what is aimed here is the law of the future or *Ius constituendum*.

## RESULTS

The golden opportunity comes in 2023, where Indonesia is trusted to host a world-class event, namely Indonesia's chairmanship of the ASEAN Summit in 2023. The conference is dedicated to

issues related to economic and cultural development as well as the security of Southeast Asian countries. The ASEAN Summit takes place twice a year. The first incident occurred in Bali on February 23 and 24, 1976. This year it will be held in Labuan Bajo and Jakarta in May 2023. The purpose of the ASEAN Summit is to create peace, stability and prosperity in the Southeast Asian region. When ASEAN was initiated and proclaimed as an international organization in the Southeast Asian region in the 1960s, it was indeed hit by ideological conflicts.

The beginning of the establishment of ASEAN based on its history was formed for many reasons behind it. Starting from the similarity of regional or geographical location. Cultural similarities such as the similarity of skin color, customs, habits and culinary are not much different. In addition, there is a common fate, namely it is a former colony of foreign nations except Thailand. In addition, there are the same goals to be achieved, namely the welfare of the community in various aspects of life, especially economy, sovereignty, defense and security.

Before being gathered into ten countries, initially the formation of ASEAN was spearheaded by five countries, namely Indonesia (represented by Adam Malik), Malaysia (represented by Tun Abdul Razak), Singapore (represented by Rajaratman), Thailand (represented by Thanat Khoman), and the Philippines (represented by Narciso Ramos). Marked by the Bangkok declaration is a sign of the inauguration of ASEAN on August 8, 1967. Followed by five other countries, namely Brunei Darussalam, Viet Nam, Laos, Myanmar, and Cambodia.

Gemah Ripah Loh Jinawi gives a special meaning to Indonesia with its natural wealth. Through soft power diplomacy, the tourism industry such as Natural Resources (SDA), arts and culture, local wisdom, to foreign policy and the like are not related to the element of 'coercion' (Utama, 2021). Volatility, Uncertainty, Complexity, and Ambiguity conditions or VUCA conditions are factors in the pace of national economic fundamentals that are contracting, and domestic economic activity at the global level is still experiencing ups and downs (Persis et al., 2021).

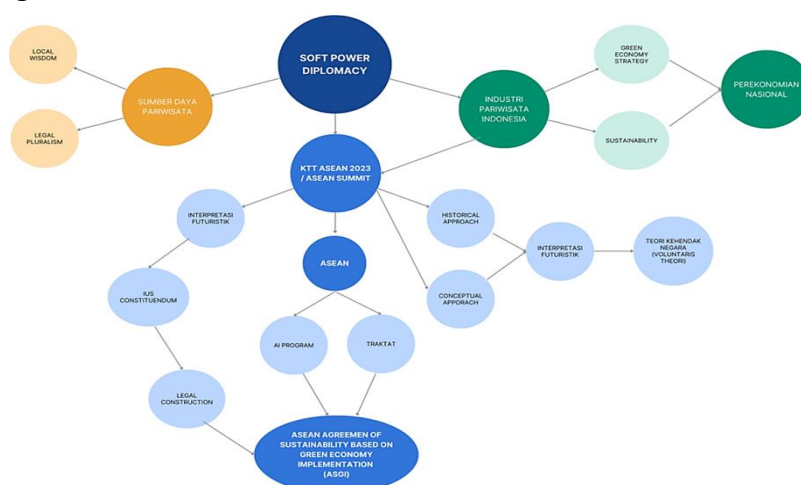
The appropriate concept in solving problems pays attention to sustainable economic development and reducing the risk of environmental damage (Christian et al., 2022). The main target of implementing the green economy is the tourism industry. The concept of sustainability is interpreted as a socio-ecological process that takes place dynamically and continuously. This principle of sustainability is an extension of the Millennium Development Goals (MDGs) agenda which is aligned with the national development scheme (Fehling et al., 2013). At this level, Indonesia has not completed the ratification of the ASEAN Agreement in the substance of a sustainability-based green economy in connection with the three priority issues in the economic sector at the 2023 ASEAN Summit, namely recovery and rebuilding, digital economy, and sustainability, the implementation of which is translated into sixteen Priority Economic Deliverables (PED) (Bank Indonesia, 2023). However, in this context, it has been tabulated into International Law within the scope of diplomacy law (A. Anwar, 2021). Using the theory of the will of the state (voluntaris theorie) of Hegel and George Jellinek (Supriyadi, 2013), Indonesia can solve the legal issue, namely the incomplete norm by diagonalizing the legal norm that views International Law as the law of agreement between countries. Then it can be accelerated into national law through the 2023 ASEAN Summit treaty/agreement in the form of regulations and policies.

The main strategy in this study lies in the use of information technology as a form of digital transformation in the industrial revolution 4.0 and the society 5.0 era. The technology in question is Artificial Intelligence (AI) which is artificial intelligence (Prakken & Sartor, 2015) needs to be used as a new discovery to strengthen the strategy towards a sustainability-based green economy (Bingley et al., 2023). In addition, through treaties (friendship agreements), regulations and national policies that are binding between ASEAN member countries can be initiated.

Currently, the ASEAN Summit remains important because it helps ensure security stability in the Southeast Asian region. In addition, economic integration between member countries must be strengthened by reducing trade barriers (Sunnyowati, 2013). The priority of this research is on the benefits of law as an effort to improve the national economy by strengthening the tourism industry strategy. Coinciding with the momentum of Indonesia's 2023 ASEAN chairmanship, a soft power diplomacy strategy is carried out by sharpening the theory of the state will (voluntaris theorie). Strength in terms of regulations and policies is needed to support the achievement of national economic stability through a sustainable-based green economy. Thus, this can be carried out

optimally to emerge a new concept by completing the incomplete norm in the ratification of the ASEAN Agreement through treaties (friendship agreements) and the Artificial Intelligence Program in the era of digital transformation.

The results of this study as a form of analysis of the Green Economy Strategy of Indonesia's Tourism Industry Towards Sustainability Through Soft Power Diplomacy of the 2023 ASEAN Summit are presented in the figure below:



**Figure 3: Research results: Asian agreement of sustainability on green economy implementation (ASGI)**

Tourism resources are one of the sources of strength of Indonesia's tourism industry. The existence of local wisdom that includes the local community as a tourism manager strengthens the potential of tourism. In addition, legal pluralism is also a concern. The reason is that legal pluar is closely related to local wisdom as a national identity.

The emergence of Indonesia's opportunity in 2023 to hold the baton of the ASEAN Summit is part of the national economic strengthening strategy. This opportunity must be seen as an opportunity to meet the achievements of a sustainable national economy with the concept of a green economy. Based on its history, Indonesia is one of the countries that initiated the formation of ASEAN with a grand design to strengthen the Southeast Asian economy. Because of the same goal, not only Indonesia should be affected but other ASEAN countries and even countries outside ASEAN can also be covered. As described in the ASEAN Trade in Goods Agreement (ATIGA), ASEAN Framework Agreement on Services (AFAS), ASEAN Trade in Services Agreement (ATISA), ASEAN Comprehensive Investment Agreement (ACIA) and ASEAN Framework Agreement on Mutual Recognition Arrangements (MRA) that ASEAN countries will not be separated from efforts to support the strengthening strategy which is clearly visible in trade activities, services, investment, and even economic sovereignty.

The concept that also supports this strategy is Voluntaris Theori. The social and political contract carried out by countries is preceded by the process of Diplomacy. Diplomacy is carried out to accelerate and provide a constructive elaboration of the mission that has been brought. That the relationship carried out between States will be binding for the States that agree and become the source of international law because it is the will of each State that binds itself to the agreement. It is also based on the position of the State as the holder of the highest sovereignty over its country.

Presidential Regulation of the Republic of Indonesia Number 3 of 2023 concerning the Ratification of the ASEAN Trade In Services Agreement (ASEAN Trade in Services Agreement) in the "Agreement between the Government of the Republic of Indonesia and the Association of Southeast Asian Nations (ASEAN) on Hosting and Granting Privileges and Immunities to the ASEAN Secretariat" states that "the host country shall facilitate travel and entry into and the transit to and from the premises to the following persons". Open access has been given to all ASEAN countries to be able to carry out the main activity, namely maximizing the strengthening of the global economy through cooperation networks between ASEAN countries.

Not only are some of the agreements above used as juridical foundations, but Indonesia also uses its legal instruments within the framework of national law. As stated in Article 3 of Law Number 37 of

1999 concerning Foreign Relations which explains the Foreign Policy embraced by Indonesia with the principle of free and active devotion to the national interest. So, the existence of this activity through the ASEAN chairmanship in 2023 sees that the potential of Indonesia's tourism industry is very large to be developed. Of course, this development is not necessarily carried out. Of course, it requires strategies and concepts used. The concept offered is an effort through soft power diplomacy, namely the existence of an Artificial Intelligence Program which is used as a supporting tool in detecting the emergence of dangers and threats of economic activities in the tourism industry which is carried out by ignoring the application of the green economy concept.

Artificial Intelligence Program if it has been realized in concrete forms such as renewable energy technology and energy efficiency technology. This will provide a wider offer to ASEAN countries and outside ASEAN to cooperate with Indonesia's tourism industry. The complexity of the offer of this technological innovation recommends the sustainability of the benefits of law as an instrument to achieve the essence of benefits and welfare for humans and the environment. To achieve sustainable economic growth by paying attention to environmental and social sustainability.

The future of the world is also determined by the conduct of the subjects of international law. Especially in carrying out international agreements in the stage of economic development. Economic activities in the tourism industry include the exploitation and exploitation of tourism resources. It needs support from legal forces to provide benefits in achieving the results of the agreement between countries that will be carried out. For this reason, if referring to Article 6 paragraph (1) of Law Number 24 of 2000 concerning International Agreements which states that "The making of international agreements is carried out through the stages of exploration, negotiation of draft formulation, acceptance, and signing", then soft power diplomacy can be carried out by carrying ammunition in the form of strong regulations as legal defense. At the level of international law, this requires an agreement or agreement that is accelerated in a document or text of an international agreement or commonly called a treaty.

The interpretation is carried out on the existing conditions above to produce legal construction. The Legal Construction in question is based on Indonesia's position as the host country of the 2023 ASEAN Summit. So that the application of the green economy concept in the management of the Tourism Industry and as an asset of the national economy is outlined in documents or texts of international agreements. The treaty is the ASEAN Agreement of Sustainability based on Green Economy Implementation (ASGI).

This international agreement, also known as a treaty or international convention, is the result of the affirmation of the commitment of ASEAN countries that require the sustainability of sustainable economic patterns and models with the concept of Green Economy. This will further ensure environmental conditions that have consistency with the earth, which in fact is increasingly inhospitable to live in, into a better and livable earth. In addition, it also provides guarantees for human activities in economic activities to be more wise, wise, and aware of environmental conditions.

## CONCLUSION

In the face of the issue of incomplete norms related to sustainable green economy regulations, it is necessary to adopt a new strategy through soft power diplomacy to improve the national economy, especially in the tourism sector. This study recommends the development of a legal framework in the form of an international treaty, namely the ASEAN Agreement of Sustainability based on Green Economy Implementation (ASGI), to strengthen cooperation between ASEAN countries. In addition, advanced technologies such as Artificial Intelligence programs that focus on renewable energy and energy efficiency are also proposed as part of the solution to achieve sustainability.

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